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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 LIZA HOFFMAN,

12 Plaintiff,

13 vs.

14 UNITED STATES OF AMERICA,

15 Defendant.

CASE NO. 07cv0273 WQH (LSP)

ORDER

HAYES, Judge:

Pending before the Court is the Motion to Withdraw as Counsel of Record for Plaintiff Liza Hoffman, filed by Attorney Patrick Q. Hall and the law firm of Seltzer Caplan McMahon Vitek. (Doc. # 17).

An attorney may not withdraw as counsel except by leave of court. *Darby v. City of Torrance*, 810 F.Supp. 275, 276 (C.D. Cal. 1992). “The decision to grant or deny counsel’s motion to withdraw is committed to the discretion of the trial court.” *Irwin v. Mascott*, 2004 U.S. Dist. LEXIS 28264 (N.D. Cal. December 1, 2004), *citing Washington v. Sherwin Real Estate, Inc.*, 694 F.2d 1081, 1087 (7th Cir. 1982). Among other things, courts ruling upon motions to withdraw as counsel have considered,

(1) the reasons why withdrawal is sought; (2) the prejudice withdrawal may cause to other litigants; (3) the harm withdrawal might cause to the administration of justice; and (4) the degree to which withdrawal will delay the resolution of the case.

Irwin, 2004 U.S. Dist. LEXIS 28264 at 4.

According to the declaration of Attorney Hall, Seltzer Caplan McMahon Vitek

1 moved to withdraw because Attorney Hall and Ms. Hoffman have reached irreconcilable
2 differences that have created a conflict of interest in further representation, and because
3 Ms. Hoffman has failed to pay agreed upon fees. After reviewing the record and the
4 reasons for withdrawal noted by Attorney Hall, the Court concludes that there is good
5 cause to grant Attorney Hall's Motion to Withdraw as Counsel of Record.

6 IT IS HEREBY ORDERED that the Motion to Withdraw as Counsel Record is
7 **GRANTED.**

8 IT IS FURTHER ORDERED that Attorney Patrick Hall notify the Court in writing
9 of Plaintiff Liza Hoffman's address for service of process no later than Tuesday, October
10 23, 2007.

11 DATED: October 16, 2007

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13 **WILLIAM Q. HAYES**
14 United States District Judge
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